

KIRBY McINERNEY & SQUIRE LLP

Ira Press (IP 5313)
830 Third Avenue, 10th Floor
New York, NY 10022
212-371-6600

Additional counsel listed below

Attorneys for the New Mexico Funds

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

STEVE MACRINA, Individually and on Behalf of)
All Others Similarly Situated,)

Plaintiffs,)

vs.)

J. ROGER MOYER, JR., THOMAS DAUTRICH)
GEORGE W. GRANER, EQUIPMENT FINANCE,))
LLC, BANK OF LANCASTER, N.A.)

Defendants)

-and-)

Case No. 07-cv-04108 (JGK)

additional captions continued on following pages

**NOTICE OF MOTION FOR APPOINTMENT OF THE NEW MEXICO FUNDS
AS LEAD PLAINTIFF, APPROVAL OF THEIR SELECTION OF COUNSEL,
AND CONSOLIDATION OF RELATED CASES**

)
BRIAN JOHNSON, Individually and on Behalf of)
All Others Similarly Situated)

)
Plaintiffs,)

)
vs.)

)
STERLING FINANCIAL CORPORATION,)
J. ROGER MOYER, JR., J. BRADLEY SCOVILL)
TITO L. LIMA)

)
Defendants)

)
-and-)
)

)
CASTLE STRATEGIC TRADING, INC.,)
Individually and on Behalf of all others Similarly)
Situating)

)
Plaintiffs)

)
vs.)

)
J. ROGER MOYER, JR., THOMAS DAUTRICH,)
GEORGE W. GRANER, EQUIPMENT FINANCE,))
LLC, BANK OF LANCASTER, N.A.)

)
Defendants)

)
-and-)
)

)
JEFFREY M. COOLEY, Individually and on)
Behalf of All Others Similarly Situated)

)
Plaintiffs)

)
vs.)

)
STERLING FINANCIAL CORPORATION,)
JR. J. ROGER MOYER, J. BRADLEY SCOVILL,)
TITO L. LIMA)

)
Defendants)

Case No. 07-cv-04652 (JGK)

Case No. 07-cv-05594 (JGK)

Case No. 07-cv-05671 (JGK)

_____))

PLEASE TAKE NOTICE that the Public Employees Retirement Association of New Mexico and New Mexico Educational Retirement Board, by their counsel, will hereby move this Court, at 500 Pearl Street, New York, NY, on a date and at such time as may be designated by the Court for an Order (attached hereto as Exhibit A): (i) appointing them as Lead Plaintiff; (ii) approving their selection of the law firms of Cauley Bowman Carney & Williams, PLLC as Lead Counsel and Kirby, McInerney & Squire, LLP as Liaison Counsel; (iii) consolidating the related cases; and (iv) granting such other and further relief as the Court may deem just and proper. In support of this Motion, movants submit a Memorandum of Law and the Declaration of Ira Press, dated July 24, 2007.

Dated: July 24, 2007

RESPECTFULLY SUBMITTED,

KIRBY McINERNEY & SQUIRE LLP

/s/ Ira Press

Ira Press (IP 5313)
830 Third Avenue, 10th Floor
New York, NY 10022
212-371-6600

Proposed Liaison Counsel

**CAULEY BOWMAN CARNEY &
WILLIAMS, PLLC**

J. Allen Carney
Darrin L. Williams
Randall K. Pulliam
P. O. Box 25438
Little Rock, AR 72221
501-312-8500
501-312-8505

Proposed Lead Counsel

Exhibit A

KIRBY McINERNEY & SQUIRE LLP

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830 Third Avenue, 10th Floor
New York, NY 10022
212-371-6600

Additional counsel listed below

Attorneys for the New Mexico Funds

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

STEVE MACRINA, Individually and on Behalf of)
All Others Similarly Situated,)

Plaintiffs,)

vs.)

J. ROGER MOYER, JR., THOMAS DAUTRICH)
GEORGE W. GRANER, EQUIPMENT FINANCE,))
LLC, BANK OF LANCASTER, N.A.)

Defendants)

-and-)

Case No. 07-cv-04108 (JGK)

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**[PROPOSED] ORDER APPOINTING LEAD PLAINTIFF THE NEW MEXICO FUNDS,
APPROVING SELECTION OF COUNSEL AND CONSOLIDATING ALL ACTIONS**

BRIAN JOHNSON, Individually and on Behalf of
All Others Similarly Situated

Plaintiffs,

vs.

STERLING FINANCIAL CORPORATION,
J. ROGER MOYER, JR., J. BRADLEY SCOVILL
TITO L. LIMA

Defendants

-and-

CASTLE STRATEGIC TRADING, INC.,
Individually and on Behalf of all others Similarly
Situated

Plaintiffs

vs.

J. ROGER MOYER, JR., THOMAS DAUTRICH,
GEORGE W. GRANER, EQUIPMENT FINANCE,
LLC, BANK OF LANCASTER, N.A.

Defendants

-and-

JEFFREY M. COOLEY, Individually and on
Behalf of All Others Similarly Situated

Plaintiffs

vs.

Case No. 07-cv-04652 (JGK)

Case No. 07-cv-05594 (JGK)

Case No. 07-cv-05671 (JGK)

STERLING FINANCIAL CORPORATION,
JR. J. ROGER MOYER, J. BRADLEY SCOVILL,
TITO L. LIMA

Defendants

Having considered the Motion for Appointment of the Public Employees Retirement Association of New Mexico and New Mexico Educational Retirement Board (collectively, the "New Mexico Funds") as Lead Plaintiff, Approval of Selection of Lead Counsel and Consolidation of Related Cases, and the Memorandum of Law and Declaration of Ira Press in support thereof, and good cause appearing therefor:

1. The New Mexico Funds are hereby appointed as Lead Plaintiff for the Class pursuant to Section 27 of the Securities Act of 1933 and Section 21D of the Securities Exchange Act of 1934;
2. The laws firm of Cauley Bowman Carney & Williams, LLP is appointed as Lead Counsel and Kirby, McInerney & Squire, LLP is appointed as Liaison Counsel; and
3. The actions are hereby consolidated pursuant to Fed. R. Civ. P. 42(a).

SO ORDERED.

Dated: July ____, 2007

DISTRICT JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK